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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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## PROPOSED ACTION ON REGULATIONS

*Information contained in this document is published as received from agencies and is not edited by the Office of State Publishing.*

### TITLE 2. BAY-DELTA AUTHORITY

#### NOTICE OF INTENT TO ADOPT A CONFLICT OF INTEREST CODE

The California Bay-Delta Authority was formed by the California Bay-Delta Authority Act, California Water Code sections 79400–79476. Pursuant to Government Code sections 87300 et seq, the Authority must prepare and adopt a conflict of interest code. The Authority hereby gives notice that it intends to adopt a conflict of interest code as described herein.

#### DESCRIPTION OF THE CODE

The proposed code incorporates by reference the standard conflict of interest code provisions promulgated by the Fair Political Practices Commission (FPPC) at Title 2 of the California Code of Regulations, section 18730. The Code lists all positions which are classified as “designated employees” because they involve the making or participation in the making of decisions which may foreseeably have a material effect on a financial interest. “Consultants” are also listed as designated employees. The Code sets forth six disclosure categories. The disclosure category for each designated position includes interests of the type likely to be affected by the exercise of the duties of that position.

#### AVAILABILITY OF COPIES OF THE CODE

Copies of the proposed code are available to interested persons. They may be obtained from Pauline Nevins, Conflict of Interest Filing Officer, California Bay-Delta Authority, 650 Capitol Mall, 5th Floor; Sacramento, CA 95814, phone (916) 445-0462.

#### FILING COMMENTS—LOCATION AND DATE

Comments on the proposed code may be submitted in writing to Pauline Nevins at the address above. Comments may include statements, arguments or contentions regarding the proposed code. Comments must be received by September 29, 2003, in order for them to be considered by the Authority before it adopts the code.

#### PUBLIC HEARING

No public hearing has been scheduled on the proposed code. However, any interested person or his

or her representative may request, no later than 15 days prior to the close of the written comment period, a public hearing.

#### INQUIRIES

Inquiries concerning the proposed code may be directed to Pauline Nevins, Filing Officer, California Bay-Delta Authority, 650 Capitol Mall, 5th Floor; Sacramento, CA 95814, (916) 445-0462.

#### STATEMENT OF REASONS

The Authority has prepared a written explanation of the reasons for the designations and the disclosure responsibilities and has available all of the information upon which the proposal is based.

#### COST CONSIDERATIONS

The adoption of the proposed code will not impose a cost or savings on any state agency, local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code; will not result in any nondiscretionary cost or savings to local agencies; will not result in any cost or savings in federal funding to the state; will not impose a mandate on local agencies or school districts; and will not have any potential cost impact on private persons or businesses including small businesses.

#### NO EQUALLY EFFECTIVE ALTERNATIVE

The Authority must determine that no alternative considered by it would be more effective in carrying out the purpose for which the code is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

#### AUTHORITY

Government Code Section 87300.

#### REFERENCE

Government Code Sections 87300–87302.

### TITLE 5. EDUCATION AUDIT APPEALS PANEL

#### NOTICE OF INTENTION TO ADOPT THE CONFLICT OF INTEREST CODE OF THE EDUCATION AUDIT APPEALS PANEL

**NOTICE IS HEREBY GIVEN** that the Education Audit Appeals Panel, pursuant to the authority vested in it by Section 87300 of the Government Code, proposes to adopt its Conflict of Interest Code. The purpose of the code is to implement the requirements of sections 87300 through 87302 of the Government Code.

The Education Audit Appeals Panel proposes to adopt a Conflict of Interest Code to include positions that involve the making or participation in the making

of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of Section 87302 of the Government Code.

Copies of the proposed code are available and may be requested from the contact person set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed code by submitting them in writing no later than September 29, 2003, or at the conclusion of the public hearing, if any, whichever comes later, to the contact person set forth below.

At this time, no public hearing has been scheduled concerning the proposed code. If any interested person or the person's representative wishes to request a public hearing, he or she must do so no later than September 15, 2003, by contacting the contact person set forth below.

The Education Audit Appeals Panel has prepared a written explanation of the reasons for the proposed code and has available the information on which the code is based. Copies of the proposed code, the written explanation of the reasons, and the information on which the proposed code is based may be obtained by contacting the contact person set forth below.

The Education Audit Appeals Panel has determined that the proposed code:

1. Imposes no mandate on local agencies or school districts.
2. Imposes no costs or savings on any state agency.
3. Imposes no costs on any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, business or small businesses.

In making this proposed code, the Education Audit Appeals Panel must determine that no alternative considered by the agency would be more effective in carrying out the purposes for which the proposed code is intended or would be as effective and less burdensome to affected persons than this proposed code.

All inquiries concerning the proposed code and any communication required by this notice should be directed to:

Lenin Del Castillo, Interim Clerk  
Education Audit Appeals Panel  
915 L Street, #C419  
Sacramento, CA 95814  
(916) 445-0328  
Lenin.DelCastillo@dof.ca.gov

## TITLE 5. EDUCATION AUDIT APPEALS PANEL

### NOTICE OF PROPOSED RULEMAKING

#### *Operating Procedures of the Education Audit Appeals Panel*

The Education Audit Appeals Panel (EAAP) proposes to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

#### PUBLIC HEARING

EAAP will hold a public hearing starting at 3:00 p.m. on September 29, 2003, in the Redwood Room at 915 L Street, Sacramento, CA 95814. The room is wheelchair accessible. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. EAAP requests that any person desiring to present statements or arguments orally notify the Interim Clerk of EAAP of such intent. EAAP requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. No oral statements will be accepted subsequent to this public hearing.

#### WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Interim Clerk. The written comment period closes at **5:00 p.m. on September 29, 2003**. EAAP will consider only written comments received by the Interim Clerk by that time (in addition to those comments received at the public hearing). Written comments for EAAP's consideration should be directed to:

Lenin Del Castillo, Interim Clerk  
Education Audit Appeals Panel  
915 L Street, # C419  
Sacramento, CA 95814  
Fax: (916) 323-9530  
e-mail: [Lenin.DelCastillo@dof.ca.gov](mailto:Lenin.DelCastillo@dof.ca.gov)

#### AUTHORITY AND REFERENCE

Authority cited: Section 41344.1, Education Code; sections 11125.7 and 11400.20, Government Code.

Reference: sections 14504, 41020, 41344 and 41344.1, Education Code; sections 11125.7 and 11440.50, Government Code.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Education Audit Appeals Panel (EAAP) proposes to adopt sections 19800–19801 and sections 19803–19805 in Title 5 of the California Code of Regulations (CCR). In 1999, EAAP was constituted as a three-member panel to hear and decide appeals by local education agencies of apportionment significant audit exceptions that require repayment to the State of California. (Education Code Section 41344(d), Stats. 1999, c. 78 (AB 1115).) In 2002, significant changes were made to the laws governing EAAP operations. EAAP was established as a separate state agency with express rulemaking authority, and the administrative adjudication provisions of the Administrative Procedures Act (APA; Chapter 4.5 (commencing with Section 11400) and Chapter 5 (commencing with Section 11500) of the Government Code) were made applicable to EAAP appeal proceedings. (Education Code Section 41344.1(a).) The 2002 law also created an informal summary review process through which the Executive Officer of the Panel may resolve apportionment significant audit exceptions. (Stats. 2002, c. 1128 (AB 2834).)

The purpose of these regulations is to establish operating procedures of EAAP in order to clarify, implement, and make specific the statutes that provide for appeals to the three-member Panel, and requests for summary review to the Executive Officer of the Panel. Specifically, these regulations will provide definitions of terms, rules for the conduct of Panel meetings, and the content of notices of appeal and requests for summary review, as well as procedures for withdrawing appeals and requests for summary review. The regulations will also clarify that the intervention provisions of the APA will apply to appeal proceedings of the Panel.

#### DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: None

Cost or savings to any state agency: None

Cost to any local agency or school district which must be reimbursed in accordance with Government Code section 17561: None

Other non-discretionary cost or savings imposed upon local educational agencies: None Cost or savings in federal funding to the state: None

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.

Cost impact on a representative private person or business: EAAP is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Adoption of these regulations will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Significant affect on housing costs: EAAP has made an initial determination that the proposed regulatory action would not affect housing costs.

Effect on small businesses: The proposed regulations will have no affect on small businesses because the regulations apply only to local education agencies authorized in statute to pursue appeals before EAAP.

#### CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), EAAP must determine that no reasonable alternative considered by EAAP or that has otherwise been identified and brought to the attention of EAAP would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

EAAP invites interested persons to present statements or arguments regarding alternatives to the proposed regulations at the above-mentioned hearing or during the written comment period.

#### CONTACT PERSONS

Inquiries concerning the substance of the proposed action, requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other technical information upon which the rulemaking is based or questions on the proposed administrative action may be directed to Lenin Del Castillo, Interim Clerk of EAAP, at (916) 445-0328 or by e-mail: [Lenin.DelCastillo@dof.ca.gov](mailto:Lenin.DelCastillo@dof.ca.gov). The back-up contact person for general inquiries is Chad Rohrs at (916) 445-0328.

#### AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Interim Clerk will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at his office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. A copy may be obtained by contacting the Interim Clerk at the above address.



#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, EAAP may adopt the proposed regulations substantially as described in this notice. If EAAP makes modifications that are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before EAAP adopts the regulations as revised. Requests for copies of any modified regulations should be sent to the attention of the Interim Clerk at the address indicated above. The Interim Clerk will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons may be obtained by contacting the Interim Clerk at the above address.

#### AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, the text of the regulations in underline and strikeout, and the Final Statement of Reasons can be accessed, or will be accessible, through the Education Audit Appeal Panel's website: [www.eaap.ca.gov](http://www.eaap.ca.gov)

### **TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

#### NOTICE OF PROPOSED REGULATORY ACTION ADD COMMISSION REGULATION 1081(a)(35) ACTS OF CIVIL DISOBEDIENCE

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Sections 13503 of the Penal Code (powers of the Commission on POST), Section 13506 (authority for Commission on POST to adopt regulations), and in order to interpret, implement and make specific Penal Code Section 13514.5, to develop training on Acts of Civil Disobedience, proposes to amend regulations in Title 11, Division 2, of the California Code of Regulations.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

In response to Penal Code Section 13514.5, POST, in consultation with groups and individuals having expertise in responding to acts of civil disobedience, developed a 4-hour (2-part) telecourse, delivered to

law enforcement agencies via satellite broadcast in May 2003. The Crowd Management and Civil Disobedience Guidelines were updated and are available via the POST website.

The guidelines contain information for law enforcement agencies to consider when addressing the broad range of issues related to crowd management and civil disobedience. *The guidelines do not constitute a policy*, nor are they intended to establish a standard for any agency. The Commission is sensitive to the needs for agencies to have individualized policies that reflect concern for local issues. The Commission intends these guidelines to be a resource for law enforcement executives that will provide maximum discretion and flexibility in the development of individual agency policies.

The proposed addition of Commission Regulation 1081(a)(35) adds the Acts of Civil Disobedience topics as identified in Penal Code 13514.5 to the list of legislatively-mandated courses. Topics include:

- Reasonable use of force
- Dispute resolution
- Nature and extent of civil disobedience, whether it be passive or active resistance.
- Media relations
- Public and officer safety
- Documentation, report writing, and evidence collection
- Crowd control

#### PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 5:00 p.m. on September 29, 2003. Written comments should be directed to Kenneth J. O'Brien, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083, fax number (916) 227-2801, or e-mail at [ken.obrien@post.ca.gov](mailto:ken.obrien@post.ca.gov). A public hearing is not scheduled. Pursuant to Government Code Section 11346.8, any interested person, or his or her duly authorized representative, may request in writing, no later than 15 days prior to the close of the public comment period, that a public hearing be held.

#### ADOPTION OF PROPOSED REGULATIONS

Following the close of the public comment period, the Commission may adopt the proposal substantially as set forth without further notice or may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, the text of any modified language, clearly indicated, will be made available at least 15 days before adoption to all

persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

#### TEXT OF PROPOSAL

Copies of the Initial Statement of Reasons and exact language of the proposed action may be obtained by submitting a request in writing to the contact person at the address below. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m., Monday through Friday).

Copies of the Final Statement of Reasons, once it has been prepared pursuant to subdivision (a) of Section 11346.9, may be obtained at the address noted at the end of this notice.

#### ESTIMATE OF ECONOMIC IMPACT

Fiscal impact on Public Agencies including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: Fiscal impact is expected to be minimal and training costs will be shared among POST and presenters.

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Costs to any Local Agency or School District for which Government Code Section 17561 Requires Reimbursement: None

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, including Small Business: The Commission on Peace Officer Standards and Training has made an initial determination that the proposed regulation will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability to compete with businesses in other states, and has found that the proposed addition of Regulation 1081(a)(35) will have no effect on California businesses, including small businesses, because the Commission on Peace Officer Standards and Training sets selection and training standards for law enforcement and does not impact California businesses, including small businesses.

Cost Impacts on Representative Private Persons or Businesses: The Commission on Peace Officer Standards and Training is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action.

Effect on Housing Costs: The Commission on Peace Officer Standards and Training has made an initial determination that the proposed regulation would have no effect on housing costs.

#### ASSESSMENT

The adoption of the proposed regulation revisions will neither create nor eliminate jobs in the state of California, nor result in the elimination of existing businesses or create or expand businesses in the state of California.

#### CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

#### CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Leah Cherry, Associate Analyst, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083, or by telephone at (916) 227-3891, fax number (916) 227-3895 or e-mail at [leah.cherry@post.ca.gov](mailto:leah.cherry@post.ca.gov). The back-up contact person as well as inquiries concerning the substance of the proposed action/text should be directed to Kim Sharman, Staff Analyst, at (916) 227-4809, fax number (916) 227-4823, or e-mail at [kim.sharman@post.ca.gov](mailto:kim.sharman@post.ca.gov).

#### INTERNET ACCESS

Select **Regulations**, then **Notices of Proposed Regulation Changes** to view proposed regulatory actions on POST's home page ([www.post.ca.gov](http://www.post.ca.gov)).

## TITLE 13. CALIFORNIA HIGHWAY PATROL

### NOTICE OF PROPOSED REGULATORY ACTION

TITLE 13, CALIFORNIA CODE OF  
REGULATIONS DIVISION 2, CHAPTER 1  
ARTICLE 3 AMEND SECTIONS 615 THROUGH  
619.1, ADOPT SECTION 619.2; DIVISION 2,  
CHAPTER 6, ARTICLE 5. AMEND TITLE

### Fleet Owner Inspection and Maintenance Stations (CHP-R-03-07)

The California Highway Patrol (CHP) proposes to amend regulations contained in Title 13, California Code of Regulations (13 CCR) governing the issuance

and use of Fleet Owner Inspection and Maintenance Station (IMS) licenses, and to adopt a new regulatory section to provide a process for requesting exemption from regulation.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

As a result of the CHP's regulatory review process, amendments are proposed which are intended to further clarify and make more specific the existing requirements contained in the California Vehicle Code (CVC), and 13 CCR governing IMS license issuance and use. These regulations are found in 13 CCR Division 2, Chapter 1, Article 3, Fleet Owner Inspection and Maintenance Stations, Sections 615 through 619.1.

The proposed amendments clarify the criteria the CHP uses for accepting and/or rejecting an IMS license application or renewal. Further, proposed amendments specify records maintenance requirements used as control measures for the activities of the licensees. Information technology has advanced significantly in the decades since the section was adopted, and the CHP proposes to clarify that certain publications, which are required to be maintained, may be accessed via the internet.

The CHP proposes to make clear that the licensee is acting as an authorized agent of the CHP for the purpose of verifying proof of correction on enforcement documents. In addition, the procurement price of the IMS vehicle compliance stickers is being increased from 25 cents to 75 cents to reflect the current cost of sticker production/manufacturing. A new Section 619.2 is proposed to identify a process for requesting exemption from regulation.

The CHP also proposes to make other clarifying and nonsubstantive changes.

#### PUBLIC COMMENTS

Any interested person may submit written comments on the proposed action via facsimile at (916) 446-4579 or by writing to:

California Highway Patrol  
Commercial Vehicle Section—062  
ATTN: Don Callaway  
P. O. Box 942898  
Sacramento, CA 94298-0001

Written comments must be received no later than 5:00 p.m., September 29, 2003.

No public hearing has been scheduled. If any person desires a public hearing, a written request must be received by Commercial Vehicle Section no later than 15 days prior to the close of the written comment period.

#### AVAILABILITY OF INFORMATION

The CHP has available for public review an Initial Statement of Reasons for the proposed regulatory action, the information upon which this action is based (the rulemaking file) and the proposed regulation text. Requests to review or receive copies of this information should be directed to the CHP at the above address, by facsimile at (916) 446-4579 or by calling CHP, Commercial Vehicle Section, at (916) 445-1865. All requests for information should include the following information: the title of the rulemaking package, the requester's name, proper mailing address (including city, state, and zip code), and a daytime telephone number, in case the requester's information is incomplete or illegible.

The rulemaking file is available for inspection at the California Highway Patrol, Commercial Vehicle Section, 444 North Third Street, Sacramento. Interested parties are advised to call for an appointment. All documents regarding the proposed action are also available at our website at [www.chp.ca.gov/regulations](http://www.chp.ca.gov/regulations). Any person desiring to obtain a copy of the adopted text and a final statement of reasons may request them at the above noted address. Copies will also be posted on our website.

#### QUESTIONS

Any questions concerning the contents of the proposed regulations should be directed to Mr. Don Callaway or Mr. Gary Ritz, CHP, Commercial Vehicle Section, at (916) 445-1865. Inquiries regarding the substance of the proposed regulations should be directed to Mr. Don Callaway.

#### ADOPTION OF PROPOSED REGULATIONS

After consideration of public comments, the CHP may adopt the proposal substantially as set forth without further notice. If the proposal is modified prior to adoption and the change is not solely grammatical or nonsubstantive in nature, the full text of the resulting regulation, with the changes clearly indicated, will be made available to the public for at least 15 days prior to the date of adoption.

#### FISCAL AND ECONOMIC IMPACT

The CHP has made an initial determination that the proposed regulatory action: (1) will have no effect on housing costs; (2) will not impose any new mandate upon local agencies or school districts; (3) involves no non discretionary or reimbursable costs or savings to any local agency, school district, or state agency, or federal funding to the state; (4) will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California; and (5) will not have a significant statewide adverse economic impact directly affecting businesses includ-



ing the ability of California businesses to compete with businesses in other states. The regulated community is encouraged to respond during the comment period of this regulatory process if significant impacts are identified.

#### **COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES**

The California Highway Patrol is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### **EFFECT ON SMALL BUSINESS**

The California Highway Patrol has determined that the proposed regulatory action may affect small businesses.

#### **ALTERNATIVES**

In accordance with Government Code Section 11346.5(a)(13), the CHP must determine that no reasonable alternative considered by the CHP, or that has otherwise been identified and brought to the attention of the CHP, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. The CHP invites interested parties to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

#### **AUTHORITY**

This regulatory action is being taken pursuant to Section 2525.2 Vehicle Code.

#### **REFERENCE**

This action implements, interprets, or makes specific Sections 2500–505 and 2525–525.12 Vehicle Code.

### **TITLE 13. CALIFORNIA HIGHWAY PATROL**

#### **NOTICE OF PROPOSED REGULATORY ACTION**

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2 AMEND CHAPTER 4, ARTICLE 15, SECTION 1090

#### **Special Equipment—Wheelchair Lifts (CHP-R-03-14)**

The California Highway Patrol (CHP) proposes to amend regulations in Title 13, California Code of Regulations, related to requirements for wheelchair lifts.

#### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Section 2402 of the California Vehicle Code (VC) authorizes the CHP to adopt and enforce rules and regulations necessary to carry out its duties. The CHP adopted standards for wheelchair lifts for all buses except school buses in approximately 1979. These standards are contained in Sections 1090–1095, Title 13, California Code of Regulations (13 CCR).

In adopting Section 34501.1 VC, the Legislature further directed in 1989, that all “wheelchair lifts for buses, schoolbuses, youth buses, and general public paratransit vehicles, regardless of capacity” be certified by the manufacturer to the CHP that they meet “the California law and any federal law and the regulations adopted thereto.”

The National Highway Traffic Safety Administration (NHTSA) has now adopted standards into the Federal Motor Vehicle Safety Standards (FMVSS) for all wheelchair lifts intended for use on all motor vehicles, including all buses as well as private personal passenger vehicles. These standards are contained in FMVSS Nos. 403 and 404 (49 CFR 571.403 and 571.404). Under the FMVSS it will be unlawful, after the effective date of the regulations, for any party to manufacture for sale any wheelchair lift for any motor vehicle that does not comply with the standard. It will be further unlawful for any motor vehicle dealer to sell any new vehicle with a wheelchair lift installed that does not comply with the standards for both the wheelchair lift itself and the installation of the wheelchair lift in the vehicle.

The CHP now proposes to amend the standards contained in Sections 1090–1095, 13 CCR, to incorporate, by reference, the requirements contained in the FMVSS for wheelchair lifts. The effective date contained in the proposed amendment coincides with the effective date of the FMVSS. By proposing this regulatory action, the CHP’s purpose is to fully harmonize California regulation with federal regulation as required by the Motor Vehicle Safety Act, Chapter 301, Title 49, United States Code (49 USCS 30101 §§ et seq.), and to extend the benefits of the federal regulation to all wheelchair lift users.

#### **PUBLIC COMMENTS**

Any interested person may submit written comments on this proposed action via facsimile at (916) 446-4579, by email to [cvsregs@chp.ca.gov](mailto:cvsregs@chp.ca.gov), or by writing to:

CHP, Enforcement Services Division  
Commercial Vehicle Section  
ATTN: Mr. Jack Schwendener  
P. O. Box 942898  
Sacramento, CA 94298-0001

Written comments will be accepted until 5:00 PM, September 29, 2003.

No public hearing has been scheduled. If any person desires a public hearing, a written request must be received by the CHP, Commercial Vehicle Section, no later than 15 days prior to the close of the written comment period.

#### AVAILABILITY OF INFORMATION

The CHP has available for public review an initial statement of reasons for the proposed regulatory action, the information upon which this action is based (the rulemaking file), and the proposed regulation text. Requests to review or receive copies of this information should be directed to the CHP at the above address, by facsimile at (916) 446-4579 or by calling the CHP, Commercial Vehicle Section at (916) 445-1865. Facsimile requests for information should include the following information: the title of the rulemaking package, the requester's name, proper mailing address (including city, state and zip code), and a daytime telephone number in case the information is incomplete or illegible.

The rulemaking file is available for inspection at the California Highway Patrol, Commercial Vehicle Section, 444 North Third Street, Sacramento. Interested parties are advised to call for an appointment.

All documents regarding the proposed action are also available through our web site at [www.chp.ca.gov/regulations](http://www.chp.ca.gov/regulations).

Any person desiring to obtain a copy of the adopted text and a final statement of reasons may request them at the above noted address. Copies will also be posted on our web site.

#### CONTACT PERSON

Any inquiries concerning the written materials pertaining to the proposed regulations should be directed to Mr. Jack Schwendener or Mr. Gary Ritz, CHP, Commercial Vehicle Section at (916) 445-1865. Inquiries regarding the substance of the proposed regulations should be directed to Mr. Jack Schwendener.

#### ADOPTION OF PROPOSED REGULATIONS

After consideration of public comments, the CHP may adopt the proposal substantially as set forth without further notice. If the proposal is modified prior to adoption and the change is not solely grammatical or nonsubstantive in nature, the full text of the resulting regulation, with the changes clearly indicated, will be made available to the public for at least 15 days prior to the date of adoption.

#### FISCAL AND ECONOMIC IMPACT

The CHP has made an initial determination that this proposed regulatory action: (1) will have no affect on housing costs; (2) will not impose any new mandate upon local agencies or school districts; (3) involves no nondiscretionary or reimbursable costs or savings to any local agency, school district, or state agency, or federal funding to the state; (4) will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California; and (5) will not have a significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states. The regulated community is encouraged to respond during the comment period of this regulatory process if significant impacts are identified.

#### COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The California Highway Patrol is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### EFFECT ON SMALL BUSINESSES

The California Highway Patrol has determined that the proposed regulatory action may affect small businesses.

#### ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the California Highway Patrol must determine that no reasonable alternative considered by the California Highway Patrol, or that has otherwise been identified and brought to the attention of the California Highway Patrol, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action. The California Highway Patrol invites interested parties to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

#### AUTHORITY

This regulatory action is being taken pursuant to Sections 2402, 24011 and 34501.1 VC.

#### REFERENCE

This action implements, interprets, or makes specific Sections 2402, 24011 and 34501.1 VC.

## TITLE 14. FISH AND GAME COMMISSION

### NOTICE OF PROPOSED CHANGES IN REGULATIONS

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 1580, 1581, 1583 and 1907 of the Fish and Game Code and to implement, interpret or make specific sections 1526, 1528, 1530, 1580-1585, 1590 and 1591 of said Code, proposes to amend Section 630, Title 14, California Code of Regulations, relating to Designation and Special Area Regulations.

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Currently, there are 118 ecological reserves designated in Section 630, Title 14, CCR for the purpose of protecting sensitive habitats and species. The department is requesting that this section be amended to add five new ecological reserves to this listing. The five new reserves are:

Canada de los Osos consisting of 4,200 acres in Santa Clara County for the protection of grassland, oak woodland, chaparral, wetland and riparian habitat for the red-legged frog, California tiger salamander, western pond turtle, and native game species, including black tailed deer and California quail; and for outdoor education programs focusing primarily on youths.

Chorro Creek consisting of 580 acres in San Luis Obispo County for the protection of southern steelhead and California red-legged frogs, and restoration and enhancement of riparian, wetland and grassland habitats.

Cosumnes River consisting of 11,895 acres in Sacramento County for the protection of great valley valley oak riparian forest, coastal and valley freshwater marsh and vernal pools for waterfowl, shorebirds, raptors, fishes, native plants and sensitive species including fairy shrimp, tadpole shrimp, Swainson's hawk, giant garter snake, greater sandhill crane, lesser sandhill crane, yellow-billed cuckoo, legener and northern California black walnut.

Headwaters Forest consisting of 7,470 acres in Humboldt County for the protection of the last unprotected large stand of old-growth redwood forest for coho salmon, northern California steelhead, California coastal Chinook salmon, marbled murrelet, northern spotted owl and forest carnivores.

North Table Mountain consisting of 3,315 acres in Butte County for the protection of northern basalt flow vernal pools, an endemic community unique to California which occurs in less than 10 locations, and

the sensitive plant and animal species they support, including the Red Bluff dwarf rush and California horned lizard.

The reasons for listing these properties in Title 14 are to regulate public use and provide the best available protection for the species and habitats the properties were acquired to protect. Since the properties contain sensitive species and important vegetation communities, and may act as linkages for other important protected lands, it is necessary and appropriate to provide this level of regulatory protection to prevent improper use and degradation of wildlife resources. In order to do this efficiently, the Department has a set of general regulations which apply to all ecological reserves.

The Department may write special regulations for individual properties, as it thinks appropriate, to give an additional level of protection, or to permit specific public uses not governed by the general regulations. The Department is requesting special regulations for these reserves based on management information gathered which shows these amendments are necessary to protect the habitat or species the properties support.

Special regulations for Canada de los Osos Ecological Reserve will allow entry; fishing from lightweight, hand-carried, non-gasoline powered boats; fishing from shore; camping; campfires; and dogs with written permission only in order to protect habitat and wildlife, including sensitive species. Swimming, diving and wading may be allowed in designated areas with department permission. Use of public access trails will be limited to foot access only for protection of habitat, wildlife and sensitive species. Hunting may be allowed in participation with department-sponsored hunts at times, areas and for species designated by the department. Target shooting, skeet shooting and other use of firearms, and bow and arrow may be allowed at times and in areas designated by the department. Since hunting, shooting and use of firearms are not normally permitted on ecological reserves, the special regulations are necessary when the department determines these activities are appropriate on a limited basis and will cause no impacts to protected species and habitat. The department will be allowed to permit biological research and collection of plants and animals for educational purposes. These allowances are needed for protection and management of habitats and wildlife and to provide valuable and meaningful educational programs. The department may restrict activities on the reserve to persons under 16 and adults supervising them, in order to focus primarily on youth outdoor



educational programs. The department will be allowed to issue permits for livestock grazing needed for habitat management.

Special regulations for Chorro Creek will limit use of public access trails to foot access for the protection of wildlife and habitat. The department will be allowed to issue permits for biological research and allow collection of plants and animals for educational purposes. These allowances are needed for protection and management of habitats and wildlife and to provide valuable and meaningful educational programs. The department will be allowed to issue permits for livestock grazing needed for habitat management.

Special regulations for Cosumnes River will restrict foot access to trails, paths and other designated areas, limit picnicking to designated times and areas, and prohibit horses unless authorized in writing for grazing management for the protection of habitats and wildlife. Boating with lightweight, hand carried, non-gas powered boats from designated launching sites will be permitted. The department or its designee may further restrict boating to protect resources or provide for orderly operation of recreational programs. Since boating is not normally permitted on ecological reserves, the special regulations are necessary when the department determines limited boating for recreation, education and research is appropriate and will cause no impacts to protected species and habitat. Fishing will only be allowed from a boat on the waters of the main channel of the Cosumnes River and sloughs accessible from the Mokelumne River for the protection of habitat and species. Hunting may be allowed at times and locations designated by the department. Since hunting is not normally permitted on ecological reserves, the special regulations are necessary when the department determines this activity is appropriate on a limited basis and will cause no impacts to protected species and habitat. Pets will be prohibited, unless inside a motor vehicle, for the protection of species and habitat. The department, the State Lands Commission, the Bureau of Land Management, The Nature Conservancy, Ducks Unlimited, Inc. and the County of Sacramento will be allowed to carry out management activities for fish and wildlife management, flood control, vector control and public access. These activities may include, but are not limited to use of chemicals, vegetation control, animal control, water control and associated use of equipment. The department will be allowed to issue grazing permits for habitat management and issue permits for biological or archaeological research compatible with the primary purpose of the reserve for protection and management of wildlife and cultural resources. The department will be allowed to permit farming compatible with the primary purpose of the reserve in

historically and recently farmed areas to provide opportunities for hunting, to maintain positive relationships with the agricultural community, and to maintain the land in a productive state relatively free of non-native invasive weeds until resources are available to restore the areas to natural habitat. Although farming is not normally allowed on ecological reserves, the special regulations are necessary when the department has determined this activity is appropriate on a limited basis and will cause no impacts to protected species and habitat.

Special regulations for the Headwaters Forest will prohibit horses from entering the reserve, and limit dogs and bicycles to a northern 3.5-mile designated corridor for the protection of wildlife and habitat. Camping and swimming may be authorized for research and monitoring needed for species and habitat protection and management. Aircraft operations and motorized vehicle use may be authorized for emergency operations, monitoring, research and other activities for the protection and management of species and habitats. The Bureau of Land Management will be allowed to carry out operation and management activities necessary for fish and wildlife management and public access. These activities include, but are not limited to use of chemicals, vegetation control, forestry management, controlled burning and use of associated equipment.

Special regulations for North Table Mountain will prohibit horses and bicycles from entering the reserve for the protection of sensitive habitats and species, allow the department to issue livestock grazing permits for habitat management, and allow deer and upland game hunting with seasonal restrictions. Since hunting is not normally permitted on ecological reserves, the special regulations are necessary when the Department determines this public use is appropriate and will cause no impacts to protected species and habitat.

The department proposes to amend special area regulations for three existing reserves: Buena Vista Lagoon, Eden Landing and Carrizo Plains. Amendment of special area regulations will identify a new unit for the Carrizo Plains Ecological Reserve to assist in carrying out management and public use activities, and limit fishing to designated areas and daylight hours at Buena Vista Lagoon Ecological Reserve.

Special regulations for Eden Landing Ecological Reserve will allow entry only on designated trails and limit walking, horseback riding and bicycles to designated trails only. Dogs will be restricted to designated trails and designated hunting areas during



waterfowl hunting season. Dogs will be allowed off-leash only for hunting in designated hunting areas during the waterfowl season, and must be under voice control at all times. Waterfowl hunting, fishing from boats and fishing from shore will be allowed, but only at times and areas designated by the department. Commercial bait fishing for brine shrimp may be allowed at times and areas designated by the department. The department will be allowed to issue permits for biological research and monitoring needed to protect and manage wildlife and habitats.

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the City Council Chambers, City Hall, 777 Cypress Avenue, Redding, California on Friday, October 3, 2003 at 8:30 a.m., or as soon thereafter as the matter may be heard

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at the hearing to be held in Redding on October 3, 2003, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before October 3, 2003 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@dfg.ca.gov, but must be received no later than October 3, 2003, at the hearing in Redding, CA. E-mail comments must include the true name and mailing address of the commentor.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John M. Duffy, Assistant Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct inquiries to John M. Duffy or Jon Snellstrom at the preceding address or phone number. Kari Lewis, Lands and Facilities Branch, Department of Fish and Game, phone (916) 445-3789, PO Box 944209, Sacramento, California 94244-2090, has been designated to respond to questions on the substance of the proposed regulations. Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at [http://www.dfg.ca.gov/fg\\_comm/](http://www.dfg.ca.gov/fg_comm/).

#### AVAILABILITY OF MODIFIED TEXT

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested

may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

#### IMPACT OF REGULATORY ACTION

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The proposed regulatory action adds five ecological reserves to Title 14 and special regulations for three existing reserves in order to provide maximum protection of wildlife and habitat and to manage appropriate public use. It is not expected to negatively affect businesses, because the regulations are enforced only on the specific properties named.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None
- (c) Cost Impacts on a Representative Private Person or Business:  
The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None
- (e) Nondiscretionary Costs/Savings to Local Agencies: None
- (f) Programs mandated on Local Agencies or School Districts: None
- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None
- (h) Effect on Housing Costs: None.

#### EFFECT ON SMALL BUSINESS

It has been determined that the adoption of these regulations may affect small business.

#### CONSIDERATION OF ALTERNATIVES

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

### **TITLE 24. BUILDING STANDARDS COMMISSION**

#### **NOTICE OF PROPOSED CHANGES TO BUILDING STANDARDS OF THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY**

##### **REGARDING THE CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of Division of the State Architect (DSA) proposes to adopt, approve, codify, and publish administrative standards contained in the California Code of Regulations (CCR), Title 24, Part 1.

The Division of the State Architect is proposing administrative building standards pertaining to the rehabilitation of existing non-conforming buildings for public school use, in accordance with Education Code Section 17280.5.

#### **PUBLIC COMMENT PERIOD**

The California Building Standards Commission on behalf of the Division of the State Architect will hold a public hearing at 10 a.m., on September 29, 2003 at 2525 Natomas Park Drive, Suite 130, Sacramento, CSA 95833, during which time any person may present statements or arguments relevant to the proposed regulatory action summarized below.

Written comments regarding the proposed changes will be accepted by the California Building Standards Commission from August 15, 2003 until 5:00 p.m. on September 29, 2003.

Please address your comments to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Stanley T. Nishimura, Executive Director

Written comments may also be faxed to (916) 263-0959, or E-mailed to CBSC@dgs.ca.gov.

#### **POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS**

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modification.

#### **AUTHORITY AND REFERENCE**

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18928. The purpose of these building standards is to implement, interpret, and make specific the provisions of Education Code Sections 17280–17317. The Division of the State Architect is proposing this regulatory action based on authority of Education Code Sections 17280.5 and 17310.

#### **INFORMATIVE DIGEST**

##### **Summary of Existing Laws**

Education Code Section 17310 authorizes the State Architect to establish administrative building standards for public elementary and secondary schools. Education Code Section 17280.5 requires the Division of the State Architect to promulgate regulations, upon concurrence of the Seismic Safety Commission, for the adaptive reuse of existing buildings for elementary or secondary school use.

##### **Summary of Existing Regulations**

These regulations are contained in Chapter 4 of Title 24 Part 1, California Building Standards Administrative Code. Sections 4-301 through 4-355 are applicable to public elementary and secondary schools. Current regulations do not address adaptive reuse of non-conforming buildings for school use.

##### **Summary of Effect**

The proposed action prescribes administrative and procedural requirements for DSA approval of adaptive reuse of existing non-conforming buildings for elementary and secondary school use.

**Comparable Federal Statute or Regulations**

There are no comparable federal regulations or statutes.

**Policy Statement Overview**

The broad objective of the proposed action is to fulfill a legislated mandate to provide additional means to create public school facilities for California's growing population of students, through adaptive reuse of existing buildings to provide elementary or secondary school facilities.

**OTHER MATTERS PRESCRIBED BY  
STATUTE APPLICABLE TO THE AGENCY  
OR TO ANY SPECIFIC REGULATION OR  
CLASS OF REGULATIONS**

There are no other matters prescribed by statute applicable to the Division of the State Architect, or to any specific regulation or class of regulations.

**MANDATE ON LOCAL AGENCIES  
OR SCHOOL DISTRICTS**

The Division of the State Architect has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

**ESTIMATE OF COST OR SAVINGS**

- A. Cost or Savings to any state agency: **NO**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**
- E. Cost or savings in federal funding to the state: **NO**

**INITIAL DETERMINATION OF NO  
SIGNIFICANT STATEWIDE ADVERSE  
ECONOMIC IMPACT ON BUSINESSES**

The Division of the State Architect has made an initial determination that the amendment of these regulations will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states.

**DECLARATION OF EVIDENCE**

No facts, evidence, documents, testimony or other evidence has been relied upon to support the initial determination of no effect.

**FINDING OF NECESSITY FOR THE PUBLIC'S  
HEALTH, SAFETY, OR WELFARE**

The proposed action does not require a report by any business or agency, so the Division of the State

Architect has not made a finding of necessity for public's health, safety or welfare.

**COST IMPACT ON REPRESENTATIVE PRIVATE  
PERSON OR BUSINESS**

The Division of the State Architect is not aware of any cost impacts that a representative private person or business would incur in reasonable compliance with the proposed action.

**ASSESSMENT OF EFFECT OF REGULATIONS  
UPON JOBS AND BUSINESS EXPANSION,  
ELIMINATION OR CREATION**

The Division of the State Architect has assessed whether or not and to what extent this proposal will affect the following:

- The creation or elimination of jobs within the State of California.  
The Division of the State Architect has determined that the proposed action has no effect.
- The creation of new businesses or the elimination of existing businesses within the State of California.  
The Division of the State Architect has determined that this proposal has no effect.
- The expansion of businesses currently doing business with the State of California.  
The Division of the State Architect has determined that the proposed action has no effect.

**INITIAL DETERMINATION OF SIGNIFICANT  
EFFECT ON HOUSING COSTS**

The Division of the State Architect has made an initial determination that this proposal **WOULD NOT** have a significant effect on housing costs. The CBSC contact designated below will make the Division of the State Architect's evaluation of the effect of the proposed regulatory action on housing costs available upon request.

**CONSIDERATION OF ALTERNATIVES**

The Division of the State Architect (DSA) has determined that no reasonable alternative considered by DSA or that has otherwise been identified and brought to the attention of DSA would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

**AVAILABILITY OF  
RULEMAKING DOCUMENTS**

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review by contacting the person named below. This notice, the express



terms, and initial statement of reasons can be accessed from the California Building Standards Commission website (<http://www.bsc.ca.gov>).

Interested parties may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

**CBSC CONTACT PERSON FOR PROCEDURAL  
AND ADMINISTRATIVE QUESTIONS**

General questions regarding procedural and administrative issues should be addressed to:

**[Michael Nearman, backup is Thomas Morrison]  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No: (916) 263-0916  
Facsimile No: (916) 263-0959**

**PROPOSING STATE AGENCY CONTACT  
PERSON FOR SUBSTANTIVE AND/OR  
TECHNICAL QUESTIONS ON THE PROPOSED  
CHANGES TO BUILDING STANDARDS**

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

**Richard Conrad  
Ph. (916) 324-7180  
[richard.conrad@dgs.ca.gov](mailto:richard.conrad@dgs.ca.gov)  
Howard "Chip" Smith, Jr.  
Ph. (916) 323-1687  
[howard.smith@dgs.ca.gov](mailto:howard.smith@dgs.ca.gov)  
Division of the State Architect  
1130 K Street, Suite 101  
Sacramento, CA 95814  
DSA Facsimile No: (916) 327-3371**

**TITLE 24. BUILDING  
STANDARDS COMMISSION**

**NOTICE OF PROPOSED CHANGES TO  
BUILDING STANDARDS OF THE  
DIVISION OF THE STATE ARCHITECT—  
STRUCTURAL SAFETY**

**REGARDING THE CALIFORNIA BUILDING  
CODE CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 2**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of Division of the State Architect (DSA) proposes to adopt, approve, codify, and publish administrative standards contained in the California Code of Regulations (CCR), Title 24, Part 2.

The Division of the State Architect is proposing building standards pertaining to the rehabilitation of existing non-conforming buildings for public school use, in accordance with Education Code Section 17280.5. The proposed regulations would be contained within Division VI-R of Chapter 16A, Title 24, Part 2.

**PUBLIC COMMENT PERIOD**

The California Building Standards Commission on behalf of the Division of the State Architect will hold a public hearing at 10 a.m., on September 29, 2003 at 2525 Natomas Park Drive, Suite 130, Sacramento, CSA 95833, during which time any person may present statements or arguments relevant to the proposed regulatory action summarized below.

Written comments regarding the proposed changes will be accepted by the California Building Standards Commission from August 15, 2003 until 5:00 p.m. on September 29, 2003.

Please address your comments to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Stanley T. Nishimura,  
Executive Director

Written comments may also be faxed to (916) 263-0959, or E-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

**POST-HEARING MODIFICATIONS TO THE  
TEXT OF THE REGULATIONS**

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modification.

**AUTHORITY AND REFERENCE**

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18928. The purpose of these building standards is to implement, interpret, and make specific the provisions of Education Code Sections 17280–17317. The Division of the State Architect is proposing this regulatory action based on authority of Education Code Sections 17280.5 and 17310.



**INFORMATIVE DIGEST**

**Summary of Existing Laws**

Education Code Section 17310 authorizes the State Architect to establish building standards for public elementary and secondary schools. Education Code Section 17280.5 requires the Division of the State Architect to promulgate regulations, upon concurrence of the Seismic Safety Commission, for the adaptive reuse of existing buildings for elementary or secondary school use.

**Summary of Existing Regulations**

Building regulations applicable to public schools are contained in Title 24, Part 2, California Building Code. Current regulations do not address adaptive reuse of non-conforming buildings for school use.

**Summary of Effect**

The proposed action prescribes structural design, construction, inspection and testing requirements for DSA approval of adaptive reuse of existing non-conforming buildings for elementary and secondary school use.

**Comparable Federal Statute or Regulations**

There are no comparable federal regulations or statutes.

**Policy Statement Overview**

The broad objective of the proposed action is to fulfill a legislated mandate to provide additional means to create public school facilities for California's growing population of students, through adaptive reuse of existing buildings to provide elementary or secondary school facilities.

**OTHER MATTERS PRESCRIBED BY  
STATUTE APPLICABLE TO THE AGENCY  
OR TO ANY SPECIFIC REGULATION OR  
CLASS OF REGULATIONS**

There are no other matters prescribed by statute applicable to the Division of the State Architect, or to any specific regulation or class of regulations.

**MANDATE ON LOCAL AGENCIES  
OR SCHOOL DISTRICTS**

The Division of the State Architect has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

**ESTIMATE OF COST OR SAVINGS**

- A. Cost or Savings to any state agency: **NO**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**

- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**
- E. Cost or savings in federal funding to the state: **NO**

**INITIAL DETERMINATION OF NO  
SIGNIFICANT STATEWIDE ADVERSE  
ECONOMIC IMPACT ON BUSINESSES**

The Division of the State Architect has made an initial determination that the amendment of these regulations will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states.

**DECLARATION OF EVIDENCE**

No facts, evidence, documents, testimony or other evidence has been relied upon to support the initial determination of no effect.

**FINDING OF NECESSITY FOR THE PUBLIC'S  
HEALTH, SAFETY, OR WELFARE**

The proposed action does not require a report by any business or agency, so the Division of the State Architect has not made a finding of necessity for public's health, safety or welfare.

**COST IMPACT ON REPRESENTATIVE PRIVATE  
PERSON OR BUSINESS**

The Division of the State Architect is not aware of any cost impacts that a representative private person or business would incur in reasonable compliance with the proposed action.

**ASSESSMENT OF EFFECT OF REGULATIONS  
UPON JOBS AND BUSINESS EXPANSION,  
ELIMINATION OR CREATION**

The Division of the State Architect has assessed whether or not and to what extent this proposal will affect the following:

- The creation or elimination of jobs within the State of California.  
The Division of the State Architect has determined that the proposed action has no effect.
- The creation of new businesses or the elimination of existing businesses within the State of California.  
The Division of the State Architect has determined that this proposal has no effect.
- The expansion of businesses currently doing business with the State of California.  
The Division of the State Architect has determined that the proposed action has no effect.

**INITIAL DETERMINATION OF SIGNIFICANT  
EFFECT ON HOUSING COSTS**

The Division of the State Architect has made an initial determination that this proposal WOULD NOT have a significant effect on housing costs. The CBSC contact designated below will make the Division of the State Architect's evaluation of the effect of the proposed regulatory action on housing costs available upon request.

**CONSIDERATION OF ALTERNATIVES**

The Division of the State Architect (DSA) has determined that no reasonable alternative considered by DSA or that has otherwise been identified and brought to the attention of DSA would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

**AVAILABILITY OF  
RULEMAKING DOCUMENTS**

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review by contacting the person named below. This notice, the express terms, and initial statement of reasons can be accessed from the California Building Standards Commission website (<http://www.bsc.ca.gov>).

Interested parties may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

**CBSC CONTACT PERSON FOR PROCEDURAL  
AND ADMINISTRATIVE QUESTIONS**

General questions regarding procedural and administrative issues should be addressed to:

**[Michael Nearman, backup is Thomas Morrison]  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No: (916) 263-0916  
Facsimile No: (916) 263-0959**

**PROPOSING STATE AGENCY CONTACT  
PERSON FOR SUBSTANTIVE AND/OR  
TECHNICAL QUESTIONS ON THE PROPOSED  
CHANGES TO BUILDING STANDARDS**

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

**Richard Conrad  
Ph. (916) 324-7180  
[richard.conrad@dgs.ca.gov](mailto:richard.conrad@dgs.ca.gov)**

**Howard "Chip" Smith, Jr.  
Ph. (916) 323-1687  
[howard.smith@dgs.ca.gov](mailto:howard.smith@dgs.ca.gov)**

**Division of the State Architect  
1130 K Street, Suite 101  
Sacramento, CA 95814**

**DSA Facsimile No: (916) 327-3371**

**GENERAL PUBLIC INTEREST**

**DEPARTMENT OF  
HEALTH SERVICES**

Notice is hereby given that the Drug Use Review (DUR) Board will conduct a public meeting on September 15, 2003 in the Department of Health Services' Penthouse Suite at 1500 Capitol Avenue, Room 72.163, Sacramento, CA 95814.

**AGENDA**

1. DUR Drug Information/Alert Incidence Updates
2. DUR Projects and Disease Management—Overview and Update
3. Development of Target Drug List by Therapeutic Category
4. Operational Issues
5. Miscellaneous Topics

Speaker Request Forms will be available at the meeting or may be obtained by contacting Electronic Data Systems Corporation, 3215 Prospect Park Drive, Rancho Cordova, CA 95670. Attention: DUR Pharmacist Jude Simon-Leack, Pharm.D., and MSW.

**DECISION NOT TO PROCEED**

**CALIFORNIA HORSE  
RACING BOARD**

**NOTICE OF DECISION NOT TO PROCEED  
WITH RULEMAKING ACTION  
RULE 1979.5  
BEAT THE ODDS**

Pursuant to Government Code Section 11347(a), the California Horse Racing Board has decided not to proceed with the adoption of Rule 1979.5, Beat The Odds, of Title 4, Division 4 of the California Code of Regulations.

The notice of proposal to adopt Rule 1979.5 was published in the California Regulatory Notice Register on April 25, 2003, notice file number Z-03-0415-13.

## RULEMAKING PETITION DECISIONS

### CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

#### NOTICE OF DECISION ON PETITION TO REPEAL REGULATIONS

California Code of Regulations  
Title 14, Natural Resources Division 7

#### PETITIONER

Richard Leo Lymp's petition was received by the California Integrated Waste Management Board (Board) on June 23, 2003.

#### AUTHORITY

Under authority established in Public Resources Code section 40502, the Board may adopt regulations necessary to carry out the Integrated Waste Management Act. Public Resources Code sections 43020 and 43021 authorize the Board to establish minimum standards for solid waste handling, transfer, composting, transformation and disposal, and to establish standards for the design, operation, maintenance and ultimate reuse of solid waste facilities. Public Resources Code Section 41781.3 authorizes the Board to establish regulations for the use of Alternative Daily Cover.

#### CONTACT PERSON

Please direct any inquiries regarding this action to Elliot Block, Senior Staff Counsel; by mail at California Integrated Waste Management Board, Legal Office, 1001 I Street, Sacramento, CA 95812; by telephone at (916) 341-6080; by e-mail at [eblock@ciwmb.ca.gov](mailto:eblock@ciwmb.ca.gov).

#### AVAILABILITY OF PETITION

The petition for repeal of regulations is available upon request directed to the Board's contact person.

#### SUMMARY OF PETITION

Petitioner requests that the Board repeal its Alternative Daily Cover Regulations. Specifically, the petitioner contends that the regulations are and have been allowing the commingling of hazardous wastes with municipal solid wastes and that this converts all of the municipal solid waste into hazardous waste.

#### BOARD DECISION

The Board denies the petition for the following reasons:

The regulations do not authorize hazardous wastes to be commingled with other nonhazardous wastes. The Board does not have authority to authorize such actions and there are no provisions in these regulations that do so. In fact, the Board's landfill regulations prohibit the acceptance of hazardous wastes at facilities regulated by the Board (see Title 27 California Code of Regulations section 20870).

Furthermore, the Alternative Daily Cover regulations expressly provide in several sections that wastes can not be used as alternative daily cover unless they comply with the applicable Department of Toxic Substances Control regulatory requirements in Title 22. (see Title 27 California Code of Regulations sections 20680(d), 20690(b)(5), and 20690(b)(6)).

### DEPARTMENT OF HEALTH SERVICES

July 25, 2003

Mr. Greg Spiegel  
Staff Attorney  
Western Center on Law and Poverty  
3701 Wilshire Blvd., Suite 208  
Los Angeles, CA 90010-2809

#### Re: Petition to Amend Regulations Governing Lead-Based Paint Activities

Dear Mr. Spiegel:

The California Department of Health Services (the Department) has received your June 25, 2003, petition to amend the regulations governing lead-based paint activities (Cal. Code Regs., title 17, § 35001 et seq.). You requested that the Department:

- 1) Adopt a state certified lead-sampling technician discipline, consistent with HUD regulations, in order to increase the number of individuals certified to identify lead hazards and conduct clearance examinations (regulations should empower members of community organizations to become certified);
- 2) Adopt lead contaminated dust clearance standards consistent with current Environmental Protection Agency standards that are more protective than California's current standards; and
- 3) Adopt appropriate enforcement procedures to implement the legal authority granted in Health and Safety Code sections 105251 through 105257 as enacted under Senate Bill 460 (Ortiz) [Chapter 931, Statutes of 2002].

The Department has decided to grant the petition in all three areas. In fact, the Department is already engaged in drafting proposed regulations that are responsive to your petition and anticipates issuing a notice of proposed action in accordance with the Administrative Procedure Act by the end of this year.

If you have additional questions regarding the Title 17 regulations, please contact Dr. Larrie Lance, Chief of the Lead Hazard Reduction Section in the Childhood Lead Poisoning Prevention Branch, at (510) 622-4930.

Very truly yours,

Barbara H. Yonemura

Deputy Director and Chief Counsel

cc: Allison Branscombe, Chief  
Office of Regulations  
Department of Health Services  
M.S. 0015  
P.O. Box 942732  
Sacramento, CA 94234-7320

## SUMMARY OF REGULATORY ACTIONS

### REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

#### COMMISSION ON TEACHER CREDENTIALING Teacher Credentialing

The California Commission on Teacher Credentialing is repealing section 80014(a)(3)(B) because it sunsetted by its own terms. Further, they are repealing 80015(b)(3)(B) and 80015.1(a)(2)(C)(1) due to the fact that the Language Development Specialist exam is no longer being administered (Stats. 1992, Ch. 1050). Section 80023(g), (h), (i), (j) and (k) are being repealed due to 80048.2(d)(2) (sunsetting date of June 30, 2001). Sections 80085, 80085.1, 80086, 80087, and 80088 are being repealed because Education Code section 44311 which required the Commission to evaluate any subject matter program offered by an accredited institution in satisfaction of requirements relating to single subject credentials, now requires the evaluation to be based upon standards of program quality and effectiveness and to be consistent with the

specification of the assessment of subject matter knowledge and competence adopted by the Commission (Stats. 1993, Ch. 809). Section 80412(b) is being repealed because of address changes (editorial). Section 80413.2 is being repealed because the Credential Out-of-State Teacher Recruitment and Retention Act of 1997 no longer exists (Stats. 2000, Ch. 703; Stats. 2001, Ch. 342). Section 80414 is being repealed because the teacher trainee no longer exists (Stats. 1987, Ch. 1468). Section 80422 is being repealed because Education Code section 44261.7 was repealed. Further, sections 80680 through 80690.1 are being repealed due to a sunset date of January 1, 2003 (Stats. 1999, Ch. 685).

#### Title 5

California Code of Regulations

AMEND: 80014, 80015, 80015.1, 80023 REPEAL: 80085, 80085.1, 80086, 80087, 80088, 80412, 80413.2, 80414, 80422, 80680-80690.1

Filed 07/31/03

Effective 08/30/03

Agency Contact: Dale Janssen (916) 323-5065

#### DEPARTMENT OF HEALTH SERVICES

Established Place of Business

This is the emergency readoption of amendments to Medi-Cal regulations defining and requiring an established place of business for Medi-Cal providers.

#### Title 22

California Code of Regulations

ADOPT: 51200.01 AMEND : 51000.4, 51000.30, 51000.45, 51000.50, 51000.55, 51200, 51451 REPEAL:

Filed 08/05/03

Effective 08/05/03

Agency Contact: Marylyn Willis (916) 657-3174

#### MANAGED RISK MEDICAL INSURANCE BOARD

AB 1401 Major Risk Medical Insurance Program

This emergency regulatory action adopts provisions restructuring the Medical Risk Medical Insurance Program (MRMIP) pursuant to Chapter 794, Statutes of 2002 (AB 1401).

#### Title 10

California Code of Regulations

ADOPT: 2698.102, 2698.600, 2698.602, 2698.604  
AMEND: 2698.100, 2698.200, 2698.201, 2698.202, 2698.203, 2698.204, 2698.205, 2698.206, 2698.207, 2698.208, 2698.300, 2698.301, 2698.302, 2698.303, 2698.401, 2698.403, 2698.405, 2698.407, 2698.500, 2698.201,

Filed 08/04/03

Effective 08/04/03

Agency Contact:

Donald G. Minnich

(916) 327-7978



**MANAGED RISK MEDICAL INSURANCE  
BOARD**  
Budget Trailer Bill / Healthy Families Program

This emergency regulatory action deals with enrollment, disenrollment, payment of arrears, and appeal procedures of the Healthy Families Program which provides health services to uninsured, low-income children.

Title 10  
California Code of Regulations  
ADOPT: 2699.6612, 2699.6827 AMEND:  
2699.6500, 2699.6600, 2699.6607, 2699.6611,  
2699.6705, 2699.6715, 2699.6717, 2699.6725,  
2699.6813, 2699.6815, 2699.6819  
Filed 07/31/03  
Effective 07/31/03  
Agency Contact:  
Donald G. Minnich (916) 327-7978

**OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD**  
Fall Protection for Date Palm Operations

In this regulatory action, the Occupational Safety and Health Standards Board adopts a General Industry Safety Order relating to "fall protection from date palm operations" (safety requirements to protect employees working in or on date palm trees from falling).

Title 8  
California Code of Regulations  
ADOPT: 3458 AMEND: 3437  
Filed 08/04/03  
Effective 09/03/03  
Agency Contact: Marley Hart (916) 274-5721

**OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD**  
Medical Evaluations for Respirator Users

This regulatory action amends the requirements for a medical evaluation for employee respirator users exposed to certain substances.

Title 8  
California Code of Regulations  
AMEND: 1532, 1532.1, 1535, 5198, 5200, 5201,  
5207, 5211, 5214, 5218, 5220  
Filed 07/31/03  
Effective 08/30/03  
Agency Contact: Marley Hart (916) 274-5721

**SECRETARY OF STATE**  
Safe at Home Confidential Address Program

In this emergency regulatory action, the Secretary of State adopts regulations pertaining to the "Safe at Home Confidential Address Program" authorized by Government Code sections 6215 through 6217.

Title 2  
California Code of Regulations  
ADOPT: 22100, 22110, 22120, 22130  
Filed 08/01/03  
Effective 08/01/03  
Agency Contact: Lisa B. Niegel (916) 653-3345

**CCR CHANGES FILED WITH THE  
SECRETARY OF STATE  
WITHIN APRIL 2, 2003  
TO AUGUST 6, 2003**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation's titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

**Title 1**

07/01/03 AMEND: 1038  
05/08/03 REPEAL: 121, 122, 123, 124, 125, 125.5,  
126, 127, 128, App. A (Form 1013)

**Title 2**

08/01/03 ADOPT: 22100, 22110, 22120, 22130  
07/29/03 AMEND: 18404.1  
07/14/03 AMEND: 56800  
07/14/03 AMEND: 649.11  
07/14/03 AMEND: Chapter 55, Section 54400  
07/07/03 ADOPT: 1859.77.3 AMEND: 1859.2,  
1859.77.2  
06/19/03 AMEND: 1859.2, 1859.20, 1859.21,  
1859.74.2, 1859.74.3, 1859.74.4,  
1859.75, 1859.75.1, 1859.78.3, 1859.79,  
1859.81.1, 1859.83, 1859.107, 1859.145  
06/16/03 ADOPT: 18530.2  
06/13/03 ADOPT: 1859.160, 1859.161, 1859.162,  
1859.162.1, 1859.163, 1859.164,  
1859.164.1, 1859.165, 1859.166,  
1859.166.1, 1859.167, 1859.168,  
1859.169, 1859.170, 1859.171 AMEND:  
1859.2, 1859.51, 1859.103, 1859.106,  
1859.145.1  
06/12/03 AMEND: 1555  
06/12/03 AMEND: 1859.77.2  
06/12/03 ADOPT: 18329.5  
06/10/03 ADOPT: 18702.5 AMEND: 18702,  
18702.1  
06/04/03 ADOPT: 649.23, 649.24, 649.25  
05/08/03 AMEND: 2970  
05/07/03 AMEND: 547.80, 17030, 17111, 17112,  
17151 REPEAL: 547.81, 17434

05/07/03 ADOPT: 471.1 AMEND: 470, 470.1, 471, 472, 17502, 17520  
 05/01/03 AMEND: 1859.61, 1859.105, 1859.106, 1859.141, 1859.142, 1859.145, 1859.147, 1859.148, 1859.150.1, 1859.151, 1859.152, 1859.153  
 04/28/03 AMEND: 1897  
 04/21/03 ADOPT: 1185.02, 1186 AMEND: 1181.1, 1183, 1183.01, 1185, 1185.01, 1185.02, 1185.1, Article 6 title. REPEAL: 1185.2, 1186, 1186.1, 1186.2, 1186.3, 1188.5  
 04/10/03 AMEND: 18313  
 04/09/03 ADOPT: 18550.1 AMEND: 18225.7  
 04/04/03 AMEND: 599.885  
 04/03/03 ADOPT: 23000, 23100, 23100, 23200, 23300  
 04/03/03 AMEND: 599.515

### Title 3

07/29/03 ADOPT: 760, 760.1, 760.2, 760.3, 760.4, 760.5, 760.6, 760.7, 760.8, 760.9  
 07/28/03 ADOPT: 3650, 3651, 3652, 3653, 3654, 3655, 3656, 3657, 3658, 3659, 3660, 3661, 3662, 3663, 3663.5  
 07/24/03 AMEND: 3417(b)  
 07/10/03 AMEND: 3700(c)  
 07/08/03 AMEND: 3700(c)  
 07/03/03 ADOPT: 755, 755.1, 755.2, 755.3, 755.4, 755.5, 755.6, 756, 756.1, 756.2, 756.3, 757, 758, 758.1, 759 AMEND: 753.2 REPEAL: 757, 759, 759.1, 759.2, 759.3, 759.4, 759.5  
 06/26/03 AMEND: 3417(b)  
 06/12/03 AMEND: 3423(b)  
 06/03/03 AMEND: 3417  
 06/02/03 REPEAL: 796  
 05/28/03 ADOPT: 1392.12  
 05/22/03 AMEND: 6860  
 05/19/03 ADOPT: 6450, 6450.1, 6450.2, 6450.3, 6784 AMEND: 6000 REPEAL: 6450, 6450.1, 6450.2, 6450.3, 6784  
 05/05/03 ADOPT: 1310, 1310.1, 1310.2, 1310.3  
 04/24/03 AMEND: 6000, 6710  
 04/21/03 AMEND: 3423(b)  
 04/21/03 AMEND: 3417(b)  
 04/15/03 AMEND: 3423(b)  
 04/08/03 ADOPT: 760, 760.1, 760.2, 760.3, 760.4, 760.5, 760.6, 760.7, 760.9 REPEAL: 760, 765  
 04/07/03 AMEND: 3417(b)  
 04/03/03 AMEND: 300(c)

### Title 4

07/14/03 ADOPT: 10151, 10152, 10153, 10154, 10155, 10156, 10157, 10158, 10159, 10160, 10161, 10162

06/26/03 AMEND: 12100, 12101, 12104, 12105, 12120, 12122, 12124, 12126, 12128, 12130, 12132, 12140, 12142  
 06/16/03 ADOPT: 12370  
 05/22/03 ADOPT: 12300, 12301, 12302, 12304, 12305, 12306, 12307, 12308, 12309, 12310 AMEND: 12301, 12303, 12309  
 04/09/03 AMEND: 1467

### Title 5

07/31/03 AMEND: 80014, 80015, 80015.1, 80023 REPEAL: 80085, 80085.1, 80086, 80087, 80088, 80412, 80413.2, 80414, 80422, 80680-80690.1  
 07/21/03 ADOPT: 1068-1074  
 07/18/03 ADOPT: 80473, 80473.1  
 07/03/03 AMEND: 51023.5  
 06/20/03 ADOPT: 13075  
 06/16/03 ADOPT: 9531, 9532  
 05/15/03 ADOPT: 24000, 24001, 24002, 24003, 24004, 24005, 24006, 24007, 24008, 24009  
 05/01/03 ADOPT: 1218.5 AMEND: 1200, 1204, 1209, 1211, 1212, 1215, 1216, 1217, 1217.5, 1219, 1219.5, 1220, 1225  
 04/21/03 ADOPT: 11990  
 04/15/03 AMEND: 18106  
 04/14/03 AMEND: 11510, 11512.5(a)(11), 11517 REPEAL: 11510(j)  
 04/07/03 ADOPT: 80020.1  
 04/03/03 ADOPT: 11971, 11972, 11973, 11974, 11975, 11976, 11977, 11978, 11979, 11980

### Title 7

07/23/03 AMEND: 213(i)  
 06/03/03 AMEND: 201, 202, 203, 204, 208, 209, 210, 211, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222

### Title 8

08/04/03 ADOPT: 3458 AMEND: 3437  
 07/31/03 AMEND: 1532, 1532.1, 1535, 5198, 5200, 5201, 5207, 5211, 5214, 5218, 5220  
 07/28/03 AMEND: 3016, 3120.6, 2122.0  
 07/24/03 AMEND: 1532.1  
 07/21/03 AMEND: 5557  
 07/11/03 AMEND: 1504, 1637  
 07/11/03 ADOPT: 5248, 5252.1, 5253.1, 5298.1, 5307, 5308 AMEND: 1504, 5236, 5237, 5238, 5239, 5240, 5241, 5242, 5243, 5244, 5245, 5246, 5247, 5251, 5252, 5253, 5254, 5256, 5257, 5258, 5262, 5267, 5268, 5269, 5270, 5276, 5277, 5278, 5279, 5280, 5291, 5292, 5293,  
 07/03/03 AMEND: 1635, 1710  
 07/03/03 ADOPT: 5006.1 AMEND: 5006

06/26/03 AMEND: 421, 422, 422.1, 423, 424.1, 424.2, 424.3, 424.4, 425.1, 425.2, 426, 427.1, 427.2, 427.3, 427.4, 428

06/12/03 ADOPT: 3195. 3195.2, 3195.3, 3195.4 3195.5, 3195.6, 3195.7, 3195.8, 3195.9, 3195.10, 3195.11, 3195.12, 3195.13, 3195.14

06/09/03 AMEND: 344.30

06/02/03 AMEND: 4821

05/30/03 ADOPT: 15220, 15220.1, 15220.2, 15220.3, 15220.4, 15220.5, 15220.6, 15220.7, 15220.8 AMEND: 15201, 15210, 15210.1, 15210.2, 15216, 15430

05/29/03 AMEND: 5161, 5164

05/27/03 AMEND: 5214

05/20/03 AMEND: 9785, 9785.2, 9785.3, 9786, 9787

05/07/03 ADOPT: 20400, 20401, 20402, 20403, 20404, 20405, 20406, 20407, 20408, 20450

05/01/03 AMEND: 10122, 10133.15, 10133.16

05/01/03 AMEND: 10106.1, 10107.1, 10111.2

04/09/03 AMEND: 15210

04/07/03 AMEND: 15251

**Title 9**

06/19/03 ADOPT: 1840.112 AMEND: 1830.215

06/05/03 ADOPT: 880, 881, 882, 883, 884, 885, 886, 890, 891, 892

05/20/03 ADOPT: 7149.1 AMEND: 7174

**Title 10**

08/04/03 ADOPT: 2698.102, 2698.600, 2698.602, 2698.604 AMEND: 2698.100, 2698.200, 2698.201, 2698.202, 2698.203, 2698.204, 2698.205, 2698.206, 2698.207, 2698.208, 2698.300, 2698.301, 2698.302, 2698.303, 2698.401, 2698.403, 2698.405, 2698.407, 2698.500, 2698.201,

07/31/03 ADOPT: 2699.6612, 2699.6827 AMEND: 2699.6500, 2699.6600, 2699.6607, 2699.6611, 2699.6705, 2699.6715, 2699.6717, 2699.6725, 2699.6813, 2699.6815, 2699.6819

07/29/03 AMEND: 5002, 5009, 5010

07/21/03 ADOPT: 2361

07/21/03 ADOPT: 1709.1, 1717.2, 1730.1, 1737.1, 1737.2, 1738.6 AMEND: 1710, 1717.2, 1726, 1730, 1732.2, 1737, 1737.1, 1737.3, 1738, 1738.2, 1738.3, 1738.5, 1740.1, 1740.4, 1741.1

07/15/03 ADOPT: 2716.1, 2790.1.5, 2805.1.5

07/14/03 ADOPT: 2020, 2021 AMEND: 250.51

07/14/03 AMEND: 2190.05, 2190.7

07/11/03 ADOPT: 2194, 2194.1, 2194.2, 2194.3, 2194.4, 2194.5, 2194.6, 2194.7, 2194.8

07/03/03 AMEND: 260.102.14

07/03/03 AMEND: 2498.2

06/19/03 AMEND: 5.2001

06/10/03 ADOPT: 310.156.3 AMEND: 310.114.1

06/05/03 AMEND: 2695.2

06/03/03 AMEND: 2509.40, 2509.41, 2509.42, 2509.43, 2509.44, 2509.45, 2509.46, 2509.47, 2509.48, 2509.49, 2509.50, 2509.51, 2509.52, 2509.53, 2509.54, 2509.55, 2509.56, 2509.57, 2509.58, 2509.59, 2509.60, 2509.61, 2509.62, 2509.63, 2509.64, 2509.65, 2509.66, 250

06/03/03 ADOPT: 2615, 2615.1, 2615.2, 2615.3 AMEND: 2698.99.10, 2698.99.11, 2698.99.12, 2698.99.13

05/20/03 AMEND: 2699.100, 2699.200, 2699.201, 2699.202, 2699.205, 2699.206, 2699.207, 2699.210, 2699.300, 2699.301, 2699.303, 2699.304, 2699.400

05/06/03 ADOPT: 2498.6

04/29/03 ADOPT: 2192.1, 2192.2, 2192.3, 2192.4, 2192.5, 2192.6, 2192.7, 2192.8, 2192.9, 2192.10, 2192.11, 2192.12, 2192.13 RE-PEAL: 01-0905-01E, 02-0129-02 EE, 02-0531-04 EE

04/24/03 ADOPT: 2695.85 AMEND: 2695.1, 2695.2, 2695.3, 2695.4, 2695.5, 2695.6, 2695.7, 2695.8, 2695.9, 2695.10, 2695.11, 2695.12, 2695.14

04/24/03 ADOPT: 2278, 2278.1, 2278.2, 2278.3, 2278.4, 2278.5

04/17/03 AMEND: 5002

**Title 11**

07/28/03 AMEND: 1007

07/21/03 ADOPT: 1009, 1083 AMEND: 1001, 1070, 1071, 1082

07/08/03 AMEND: 1005

07/03/03 AMEND: 1081

06/26/03 AMEND: 1002

06/06/03 AMEND: 1053

06/02/03 AMEND: 1003

05/05/03 AMEND: 1005

04/07/03 AMEND: 1005, 1052, D-2

04/03/03 ADOPT: 977.52 AMEND: 977.20, 977.43, 977.44, 977.45, 977.50, 977.51

**Title 12**

05/29/03 AMEND: 3000

**Title 13**

07/23/03 AMEND: 25.01

07/18/03 AMEND: 330.02, 330.06, 330.20, 330.32, 330.42, 330.44, 330.46, 330.48

06/26/03 AMEND: 181.00

06/23/03 ADOPT: 150.04

06/16/03 ADOPT: 2480

05/12/03 ADOPT: 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710

05/12/03 ADOPT: 147.00

05/07/03 ADOPT: 82.00  
 05/06/03 AMEND: 1239  
 05/01/03 ADOPT: 2273.5 AMEND: 2260, 2261,  
 2262.6, 2263, 2272, 2273  
 04/17/03 ADOPT: 157.00  
 04/17/03 AMEND: 115.07  
 04/16/03 AMEND: 1956.8  
 04/14/03 AMEND: 2412(b)

**Title 14**

07/22/03 AMEND: 15053, 15064, 15092, 15112,  
 15130, 15152, 15378, and Appendix E  
 07/14/03 AMEND: 708  
 07/07/03 AMEND: 18464, 18465  
 06/30/03 AMEND: 230  
 06/26/03 AMEND: 1.74  
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